

MAR 22 2004

**BLAKELY
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PARTNERSHIP INCLUDING
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OFFICIAL

FACSIMILE TRANSMITTAL SHEET

Deliver to: Examiner Daniel A. Nolan, Art Unit 2654
Firm Name: U.S. Patent & Trademark Office
Fax Number: 703-872-9314
From: Joni D. Stutman-Horn Operator: Anne Collette
Date: March 22, 2004
App. No.: 09/882,563
No. of pages: 30 (including cover sheet)

Client/Matter: 42P11240 Docket Date: 3/31/2004 Atty: JDS

Dear Examiner:

Please find the following document(s) attached:

- 1) Fee Transmittal (1 page)
- 2) Response to Office Action (25 pages)
- 3) Replacement Drawings (2 pages)
- 4) Copy of Original Drawing (1 page)

Thank you.

CONFIDENTIALITY NOTE

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PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**460.00****Complete if Known**Application Number **09/882,563**Filing Date **June 15, 2001**First Named Inventor **Bennett**Examiner Name **Daniel A. Nolan**Art Unit **2654**Attorney Docket No. **42P11240****METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number **02-2666**
Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)**460.00****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below		Fee Paid
Independent	46	-30**	16	x 18	=	288
Multiple Dependent	7	-5**	2	x 86	=	172

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)**460.00**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**460.00****SUBMITTED BY**Name (Print/Type) **John Patrick Ward**Registration No. **40,216**
(Attorney/Agent)

(Complete if applicable)

Telephone **408-720-8300**

Signature

Date

3/22/04**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

MAR 22 2004

09/882,563

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Bennett et al.

Application No.: 09/882,563

Docket No.: 42P11240

Filed: June 15, 2001

For: SELECTING ONE OF MULTIPLE
SPEECH RECOGNIZERS IN A SYSTEM
BASED ON PERFORMANCE
PREDICTIONS RESULTING FROM
EXPERIENCE (as amended)

Examiner: Daniel A. Nolan

Art Unit: 2654

VIA FAX (703) 872-9314

AMENDMENT AND RESPONSECOMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed on Dec. 31, 2003, please reconsider the pending claims based on the following amendment.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

By:

Anne Collette
Anne Collette

Date:

3/22/2004

09/882,563

Amendments to the Title

Please replace the title of the patent application with the following title:

**"SELECTING ONE OF MULTIPLE SPEECH RECOGNIZERS IN A SYSTEM BASED
ON PERFORMANCE PREDICTIONS RESULTING FROM EXPERIENCE"**